

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

105

CWP No. 979 of 2020

Date of Decision: 01.06.2022

Union of India

....Petitioner

VERSUS

The Central Administrative Tribunal and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE G. S. SANDHAWALIA
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Chander Mohan Sharma, Advocate
Senior Panel Counsel for the petitioner-UOI.

G.S. SANDHAWALIA, J. (Oral)

The present writ petition has been filed against the order of the Tribunal-respondent No.1 dated 12.09.2019 (Annexure P-6).

On 15.01.2020, counsel for Union of India was informed that no cause of action arises as such to the Union to file the writ petition. Primarily, it was on the ground that the Tribunal had directed the Union of India to reconsider the matter, whereby the benefit for considering the claim of the employee under the old pension scheme after counting his service from the date of his appointment had been denied vide letter dated 10.04.2018 (Annexure P-4). Apparently, the said letter was never set aside.

While passing the said order for reconsideration by the Tribunal, Mr. Sharma has now placed on record the compliance order dated 17.02.2020, wherein the competent authority i.e. Chief Engineer (Works-cum-TLQA) had held that the employee is not entitled for the grant of benefits under the old pension scheme and thus, decided the claim afresh.

Accordingly, we are of the considered opinion that the writ petition is rendered infructuous in view of the compliance of the order.

Needless to say, it is always open to the employee to challenge the said order in accordance with law since we have not issued notice to him.

(G. S. SANDHAWALIA)
JUDGE

(VIKAS SURI)
JUDGE

June 01, 2022
Sachin M.

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No